GOVERNMENT OF INDIA
MINES
LOK SABHA

UNSTARRED QUESTION NO:2663
ANSWERED ON:11.03.2011
LAND FOR MINING TO PRIVATE COMPANY
Das Shri Bhakta Charan

Will the Minister of MINES be pleased to state:

(a) whether the State Governments are giving away mining of mineral resources to the private companies without following the due diligence, transparent procedures;

(b) if so, the details thereof; and

(c) the reaction of the Union Government thereto?

Answer

THE MINISTER OF STATE (INDEPENDENT CHARGE) FOR MINES (SHRI DINSHA PATEL)

(a) & (b): The State Governments are competent to grant mineral concessions viz. Reconnaissance Permit (RP), Prospecting Licence (PL) and Mining Lease (ML) under the provisions of the Mines and Minerals (Development and Regulation) (MMDR) Act, 1957. However, prior approval of the Central Government is required under Section 5 (1) of the Act for grant of RP, PL and ML in respect of Atomic and Metallic Minerals specified in Parts 'B' and 'C' of the First Schedule to the Act. Subsequent to the prior approval of the Central Government, mining leases etc. are executed by the State Governments with the mining agencies after following the due procedures i.e. obtaining forest and environment clearances and approval of mining plan from the Indian Bureau of Mines.

(c): Whilst processing the proposals recommended by the State Governments for prior approval of the Central Government, the Ministry of Mines examines the same in the light of the provisions of the MMDR Act, 1957, the Mineral Concession Rules, 1960 and the guidelines framed thereunder, and where necessary, in consultation with the State Governments and specialized agencies like the Indian Bureau of Mines, the Geological Survey of India and the Department of Atomic Energy. The Ministry of Mines is conscious of its responsibility to ensure that the mineral concession regime functions in a transparent and efficient manner. In this regard, the Ministry has, in consultation with the State Governments, issued the following guidelines:-

(i) Comprehensive guidelines dated 24th June, 2009, in order to bring more clarity in processing the mineral concession proposals. The guidelines also seek to ensure application of uniform criteria by the State Governments while examining and recommending proposals to the Central Government.

(ii) Guidelines dated 9.2.2010 on 'special reasons' to be adopted by all State Governments while recommending a mineral concession proposal in favour of a later applicant in a non-notified area.

(iii) Guidelines dated 13.10.2010 regards maps in order to ensure that the areas recommended by the State Governments for mineral concessions are clearly demarcated.

All the above-mentioned guidelines are available on the Ministry's website (mines.nic.in). The website of the Ministry of Mines is also linked to Mineral Concession Access System to provide current status of mineral concession applications to the public.